

1 Stacy Elledge Chiang, CPA/CFF, CIRA  
**Baker Tilly US, LLP fka Squar Milner LLP**  
2 3655 Nobel Drive, Suite 300  
San Diego, CA 92122  
3 Telephone: (858) 597-4100  
Facsimile: (858) 597-4111  
4

5 Accountants and Consultants for Debtors  
6

7 **UNITED STATES BANKRUPTCY COURT**  
8 **SOUTHERN DISTRICT OF CALIFORNIA**

9 IN RE:

10 PEPPERTREE PARK VILLAGES 9&10, LLC

11 DEBTOR.

12 PEPPERTREE PARK VILLAGES 9&10, LLC

13 CASE No. 17-05137-LT7

14 PEPPERTREE LAND COMPANY

15 CASE No. 17-05135-LT11

16 NORTHERN CAPITAL, INC.

17 CASE No. 17-04845-LT11

18 DUANE SCOTT URQUHART

19 CASE No. 17-04846-LT11

20 DEBTORS.

LEAD CASE NO. 17-05137-LT7

CHAPTER 7

(JOINTLY ADMINISTERED)

**BAKER TILLY US, LLP FKA SQUAR MILNER LLP JOINDER IN RESPONSE TO OBJECTION OF POINTS AND AUTHORITIES IN SUPPORT OF OBJECTION TO PURPORTED POST-CONFIRMATION ADMINISTRATIVE EXPENSE CLAIMS; DECLARATION OF STACY ELLEDGE CHIANG**

Date: April 12, 2023

Time: 2:00 p.m.

Dept.: Three (3)

Judge: Honorable Laura S. Taylor

21  
22 **TO THE HONORABLE LAURA S. TAYLOR, UNITED STATES BANKRUPTCY JUDGE:**

23 Baker Tilly US, LLP fka Squar Milner LLP (“Baker Tilly”), as an administrative claimant,  
24 hereby joins and supports the response, objection and arguments set forth in *Foley & Lardner LLP’s*  
25 *Amended Response to Objection of Points and Authorities in support of Objection to Purported Post-*  
26 *Confirmation Administrative Expense Claims* [docket #1044]. On March 15, 2023, Justus Wallace  
27 filed the *Memorandum of Points and Authorities in Support of Objection to Purported Post-*  
28

1 *Confirmation Administrative Expense Claims (“Objection”)* [docket #1042], which included an  
 2 objection to a portion of Baker Tilly’s administrative claim filed on November 3, 2022 [docket # 822].

3 Similar to arguments set forth by Foley & Lardner LLP, Baker Tilly asserts that its post-  
 4 confirmation tax services rendered to Peppertree Park Villages 9&10, LLC (“9&10”) were necessary  
 5 for the consummation of the approved joint plan of reorganization (“Plan”) as tax reporting compliance  
 6 is required for an entity to remain in good standing with various federal and state authorities, something  
 7 that was necessary for 9&10 as it pursued its real estate development efforts as contemplated in the  
 8 Plan. Baker Tilly’s unpaid services to 9&10 during the post-confirmation period total \$6,437.50, for  
 9 preparation and filing of 9&10’s 2019 and 2020 returns as well as a small charge for consulting services  
 10 relative to research performed during the pandemic for potential federal programs’ aid. Additionally,  
 11 although the 2019 tax returns were prepared in 2020, the 2019 tax returns reported transactions from  
 12 9&10’s pre-confirmation chapter 11 period and were filed in accordance with insolvency procedures  
 13 and standards, with the insolvency units of taxing authorities. Baker Tilly asserts that these services  
 14 were necessary in order for 9&10 to work towards consummation of the Plan. For ease of reference,  
 15 Baker Tilly’s post-confirmation invoices and a summary of Baker Tilly charges that are also attached  
 16 with Baker Tilly’s administrative claim are attached hereto at **Exhibit A**.

17 Baker Tilly also adopts any additional legal arguments asserted by the other administrative  
 18 claims in response to the Objection.

19  
 20 WHEREFORE, the Court should overrule the Objection as it pertains to Baker Tilly’s  
 21 administrative claim and grant such other and further relief as is appropriate under the circumstances.  
 22

23  
 24 Respectfully Submitted,  
 BAKER TILLY US, LLP

25 Dated: March 31, 2023  
 26 San Diego, California

27 /s/ Stacy Elledge Chiang  
 28 Stacy Elledge Chiang, CPA/CFF, CIRA

1                   **DECLARATION OF STACY ELLEDGE CHIANG**

2                   I, STACY ELLEDGE CHIANG, declare:

3                   I am a Certified Public Accountant and a director of Baker Tilly US, LLP fka Squar Milner LLP  
4 ("Baker Tilly"). The matters stated herein are true and correct and within my personal knowledge. If  
5 called as a witness, I could and would competently testify thereto.

6                   I am authorized to file this response on behalf of Baker Tilly, a non-attorney professional, using  
7 my electronic filing credentials in this district.

8                   I have been involved in the preparation and filing of Baker Tilly's fee applications and  
9 administrative claim motion in addition to this response. I have personally reviewed the underlying  
10 billing charges and determined that all such charges were reasonable and necessary in the  
11 circumstances.

12                  I declare under penalty of perjury under the laws of the United States of America that the  
13 foregoing is true and correct.

14                  Executed this 31<sup>st</sup> day of March 2023, at San Diego, California.

15

16

/s/ Stacy Elledge Chiang

17

Stacy Elledge Chiang, CPA/CFF, CIRA

18

19

20

21

22

23

24

25

26

27

28

# **EXHIBIT “A”**

*In re: Peppertree Park Villages 9&10, LLC***Summary of Baker Tilly US, LLP fka Squar Milner LLP Administrative Claim for Peppertree Park Villages 9&10, LLC**

	Date	Invoice / docket #	Order docket #	Amount <sup>(1)</sup>	Notes
<b>Square Milner</b>					
SM First interim application fees and costs	12/20/18	dkt. 446	dkt. 472	\$ 11,545.42	BK consulting and 2017 returns
SM Second and final application fees and costs	11/14/19	dkt. 644	dkt. 669	<u>10,672.34</u>	BK consulting and 2018 returns
Total SM chapter 11 allowed fees and costs	11/14/19	dkt. 644	dkt. 669	22,217.76	
Payment received	03/19/20			(1,800.00)	Received combined payment for 4 cases; amount per left is amount allocated to 9&10.
Payment received	09/28/20			(10,000.00)	
SM post-confirmation invoice	10/19/20	SM Inv. 283809	N/A	<u>4,937.50</u>	2019 returns + 25% of consulting charges
Total SM balance				<u>15,355.26</u>	
<b>Baker Tilly</b>					
BT post-confirmation invoice	07/01/21	BT Inv. 1864899	N/A	<u>1,500.00</u>	2020 returns
<b>Total Baker Tilly fka Square Milner balance</b>				<b><u>\$ 16,855.26</u></b>	

<b>Summary of outstanding balance</b>	
Chapter 11 pre-confirmation fees and costs	\$ 10,417.76
Post-confirmation fees and costs	<u>6,437.50</u>
	<b><u>\$ 16,855.26</u></b>

Notes:

Sources : Fee applications filed by Squar Milner LLP, orders entered by the United States Bankruptcy Court, internal billing records of Baker Tilly US, LLP.

<sup>(1)</sup> Amounts pertain only to services rendered to and payments applied to account of Peppertree Park Villages 9&10, LLC.



18500 Von Karman Ave, 10th Floor

Irvine, CA 92612

Phone: (949) 222-2999 Fax: (949) 809-4937

Peppertree Park Villages & Related Entities

Duane Scott Urquhart

5256 S. Mission Road, Suite 905

Bonsall, CA 92003

Attn:

Email:

Credit Card ( ) VISA ( ) MC ( ) AMEX ( ) Other \_\_\_\_\_

Invoice #: 283809  
Date: 10/19/2020  
Payment Due: Upon Receipt  
Client ID: URQUHARTBK

Credit Card ( ) VISA ( ) MC ( ) AMEX ( ) Other \_\_\_\_\_ Amount Enclosed \$ \_\_\_\_\_  
Acct # \_\_\_\_\_ Exp. Date \_\_\_\_\_ CSC # \_\_\_\_\_  
Signature \_\_\_\_\_  
(I agree to the above mentioned charges)

**Please return top portion with remittance.**

Square Milner LLP

Peppertree Park Villages & Related Entities

Invoice #: 283809

<u>Northern Capital, Inc.</u>	\$4,250.00
Preparation and filing via certified mail in triplicate of 2019 extension, tax returns and special attachments.	
<u>Peppertree Park Villages 9&amp;10, LLC</u>	\$4,500.00
Preparation and filing via certified mail in triplicate of 2019 extension, tax returns and special attachments.	
<u>Peppertree Land Company</u>	\$5,000.00
Preparation of filing via certified mail in triplicate of 2019 extension, tax returns and special attachments.	
<u>Peppertree Land Investors, LLC</u>	\$1,500.00
Preparation and filing via certified mail of 2019 tax returns and extension for initial year.	
Research and consultations by P. Dumas, C. Banzali and S. Chiang upon request re PPP, SBA and CARES Act.	\$1,750.00

<b>Peppertree 9&amp;10 2020 returns</b>	<b>\$4,500.00</b>
<b>Allocated 25% share of consulting</b>	<b>437.50</b>
<b>Total Peppertree 9&amp;10 - see Exhibit A</b>	<b>\$4,937.50</b>

\$17,000.00

Thank you for your business. If you have questions about this invoice, please call 949-222-2999 or email [billing@squarmilner.com](mailto:billing@squarmilner.com).  
To make a payment, please visit our website at [SquarMilner.com](http://SquarMilner.com)

Baker Tilly US, LLP  
 3655 Nobel Drive Suite 300  
 San Diego, CA 92122 • 858 597 4100



Peppertree Park Villages 9&10, LLC  
 5256 S. Mission Road, Ste. 905  
 Bonsall, CA 92003

**Invoice Date:** July 1, 2021  
**Invoice Number:** BT1864899  
**Client Number:** 212000

INVOICE	AMOUNT
<b>Fees</b>	
Preparation of 2020 LLC tax return	\$1,500.00
	<b>Fees Total:</b>
	\$1,500.00
	<b>Expenses Total:</b>
	\$0.00
	<b>Invoice Total:</b>
	<b>\$1,500.00</b>

<b>Fees</b>	
Preparation of 2020 LLC tax return	\$1,500.00
	<b>Fees Total:</b>
	\$1,500.00
	<b>Expenses Total:</b>
	\$0.00
	<b>Invoice Total:</b>
	<b>\$1,500.00</b>

For questions, comments or suggestions, please contact Kathy Schmidt at 858 597 4100.

**Balance is payable upon receipt or previously agreed upon terms.**

Finance charge 1.5% per month (annual rate 18%). Applied on unpaid balance after 30 days from original invoice date.

**To pay by Credit Card, Debit Card, or EFT using your Checking Account visit [www.bakertilly.com/payment](http://www.bakertilly.com/payment).**  
**There is 3.5% surcharge on all Credit Card payments. There is no fee for Debit Card or EFT Payments.**

<b>Please ACH or wire payment to:</b>  US Bank, Milwaukee, WI Routing No: 075000022 Account No: 312220280 Reference #: BT1864899	<b>Or send payment to:</b>  Baker Tilly US, LLP PO Box 511563 Los Angeles, CA 90051-8118	<b>Reference:</b>  Client Number: 212000 Invoice Number: BT1864899 Amount Enclosed: \$ _____
---	--	--

## PROOF OF SERVICE

I am over the age of eighteen years and am not a party to the within action. I am employed in the County of San Diego, State of California, at Baker Tilly US, LLP. My business address is 3655 Nobel Drive, Suite 300, San Diego, CA 92122. On March 31, 2023, I served  a true copy /  the original of the foregoing document(s) described as:

**BAKER TILLY US, LLP FKA SQUAR MILNER LLP JOINDER IN RESPONSE TO  
OBJECTION OF POINTS AND AUTHORITIES IN SUPPORT OF OBJECTION TO  
PURPORTED POST-CONFIRMATION ADMINISTRATIVE EXPENSE CLAIMS;  
DECLARATION OF STACY ELLEDGE CHIANG**

**X BY CM/ECF NOTICE OF ELECTRONIC FILING:** Pursuant to controlling General Orders, a true copy will be served by the Court via Notice of Electronic Filing ("NEF") and hyperlink to the document. I checked the CM/ECF docket for this case and determined that the parties on the attached Service List are on the Electronic Mail Notice List to receive NEF transmission at the electronic mail addresses noted.

**BY UNITED STATES MAIL:** I enclosed the document(s) in a sealed envelope or package to the parties on the attached Service List and placed it for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

**BY OVERNIGHT DELIVERY:** I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the parties on the attached Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

**BY ELECTRONIC MAIL:** I caused the document(s) to be sent to the parties on the attached Service List at the electronic mail addresses listed.

BY FACSIMILE: I faxed the document(s) to the parties on the attached Service List at the fax numbers listed. No error was reported by the fax machine that I used. A fax transmission record was printed, a copy of which is maintained by this office.

BY MESSENGER SERVICE: I provided the document(s) to a professional messenger service for delivery to the parties on the attached Service List.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct. Executed on March 31, 2023, in San Diego, California.

/s/ Stacy Elledge Chiang

---

Stacy Elledge Chiang, CPA/CFF, CIRA

1  
IN RE: PEPPERTREE PARK VILLAGES 9&10, LLC  
2

3 U.S.B.C. CASE NO.: 17-05137-LT7  
4

SERVICE LIST

5 **VIA NEF:**  
6

- Christin A. Batt christinb@flgsd.com, sandray@flgsd.com;candic@flgsd.com;leslieg@flgsd.com
- Richard W. Brunette rbrunette@sheppardmullin.com
- Jonathan S. Dabbieri dabbieri@sullivanhill.com, hill@sullivanhill.com; bkstaff@sullivanhill.com; vidovich@ecf.inforuptcy.com; dabbieri@ecf.inforuptcy.com
- Gerald H. Davis ghd@trusteedavis.com, ghd@trustesolutions.net
- Jesse S. Finlayson jfinlayson@ftrlfirm.com, hkader@ftrlfirm.com
- Todd S. Garan ch11ecf@aldridgepite.com, tgaran@aldridgepite.com;TSG@ecf.courtdrive.com
- Leslie T. Gladstone leslieg@flgsd.com, candic@flgsd.com;sandray@flgsd.com;christinb@flgsd.com
- Marshall Hogan mhogan@swlaw.com, knestuk@swlaw.com
- Mikle Jew mjew@foley.com, mikle-jew-2406@ecf.pacerpro.com; smoreno@foley.com
- Dean T. Kirby dkirby@fsl.law, jwilson@fsl.law
- Paul J Leeds Pleeds@fsl.law, ssanchez@fsl.law
- J. Barrett Marum bmarum@sheppardmullin.com, egarcia@sheppardmullin.com
- Tania M. Moyron tania.moyron@dentons.com, derry.kalve@dentons.com;DOCKET.GENERAL.LIT.LOS@dentons.com
- David Ortiz david.a.ortiz@usdoj.gov, USTP.REGION15@USDOJ.GOV; tiffany.l.carroll@usdoj.gov; abram.s.feuerstein@usdoj.gov
- J. Alexandra Rhim arhim@hemar-rousso.com, tdunn@hemar-rousso.com
- Todd M. Schwartz toddschwartz@paulhastings.com
- Lisa Torres ltorres@g3pmlaw.com, ltorreslegalconsulting@hush.com
- United States Trustee ustp.region15@usdoj.gov
- Alan Vanderhoff alan.vanderhoff@vanderhofflaw.com, alanvanderhoff@cox.net
- Victor A. Vilaplana victor.vilaplana@practus.com, vavilaplana@gmail.com
- Dennis J. Wickham wickham@scmv.com, nazari@scmv.com
- Christopher K.S. Wong christopher.wong@afslaw.com
- Robert Zahradka rzahradka@nationalfunding.com

21  
**VIA US Mail and E-Mail:**  
22

Martin A. Eliopoulos  
Higgs, Fletcher & Mack LLP  
401 West A Street, Suite 2600  
San Diego, CA 92101-7913  
elio@higgslaw.com